

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

MARIE H.,
Plaintiff,

v.

Civil No. 3:20cv924 (DJN)

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,
Defendant.

ORDER
(Adopting Report and Recommendation)

This matter comes before the Court on Plaintiff's Objections to the Report and Recommendation (the "R&R") of the Magistrate Judge ("the Objections") (ECF No. 31)), objecting to the R&R (ECF No. 30) entered on May 5, 2022, by the Honorable Mark R. Colombell, United States Magistrate Judge, which recommended that Plaintiff's Motion for Summary Judgment be granted, that Defendant's Motion for Summary Judgment be denied and that the final decision of the Commissioner of Social Security ("the Commissioner") be vacated and remanded. Plaintiff objects to the R&R on the grounds that certain findings therein are not supported by substantial evidence. On May 31, 2022, Defendant responded to Plaintiff's Objections. (ECF No. 32.) Plaintiff did not reply to Defendant's Response, and the time to do so has expired, rendering this matter ripe for review.

Having reviewed the R&R, the objections thereto and the ALJ's decision, and finding that the objections lack merit, the Court hereby ORDERS that:

1. Plaintiff's Objections (ECF No. 31) to the R&R are hereby DENIED;
2. The Report and Recommendation (ECF No. 30) is hereby ACCEPTED and ADOPTED as the OPINION of the Court;

3. Plaintiff's Motion for Summary Judgment (ECF No. 23) is hereby GRANTED;
4. Defendant's Motion for Summary Judgment (ECF No. 25) is hereby DENIED;
5. The decision of the Commissioner is hereby VACATED;
6. This case is hereby REMANDED to the Commissioner for further administrative proceedings; and,
7. This case is now CLOSED.

Let the Clerk file this Order electronically and notify all counsel of record accordingly.

It is so ORDERED.

/s/
David J. Novak
United States District Judge

Richmond, Virginia
Dated: August 26, 2022